UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

DESARAE SURRATT,

          Plaintiff,

v.

ADT LLC of Delaware, d/b/a ADT
SECURITY SERVICES,

          Defendant.

Case No.: 0:19-cv-02833-PAM-HB

DECLARATION OF THOMAS WOODS IN SUPPORT OF DEFENDANT ADT LLC'S MOTION TO STAY

I, Thomas Woods, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1.   I am the Director of Customer Experience & Operations: Collections and Customer Relations at ADT LLC. I am of legal age, mentally competent to provide this Declaration, and offer it voluntarily. I have personal knowledge of the facts set forth herein and, if called as a witness, I could and would testify competently under oath to such facts.

2.   I have reviewed ADT's call logs and identify that the collection calls placed to Plaintiff by ADT were placed using three different calling platforms at different times: LiveVox's Human Call Initiator ("HCI") and Quick Connect ("QC"), hosted by third-party calling vendors for ADT, and Avaya Proactive Contact 5.1 ("APC 5.1"), owned by ADT.

3.   ADT's APC 5.1 is configured to operate in one of two different dialing modes – managed preview mode and predictive mode.

4.   In managed preview mode, the account information and telephone number for a customer with a past due balance appear on an ADT call representative's computer screen. The call representative, then, makes a decision whether to click on the telephone number to launch the call or not; no call is placed unless the telephone number is clicked by (i.e., with the intervention of) ADT's call representative.

5.   In predictive mode, an ADT employee logs into the APC 5.1 system and uploads a list of specific ADT telephone numbers for customers with past due balances. Next, an ADT employee turns the system on, selects the numbers to be called, and the system dials those numbers – and only those numbers. Calls are connected to live ADT call representatives when they are answered. In other words, there is human involvement in logging into the APC 5.1 system; the creation, uploading, and selection of the specific telephone numbers to be called; the initiation of the dialing system; and during the telephone calls themselves.

6.   The predictive mode of APC 5.1 is used by ADT to dial calls to cellular telephone numbers to which ADT has the customer's consent to call, as well as residential landline telephone numbers (as opposed to cell phones).

7.   The APC 5.1 platform does not have the capacity to produce or store telephone numbers using a random or sequential number generator, nor can it dial those numbers, or any numbers for that matter, without human involvement. In fact, I am unaware that APC 5.1 has ever had this capability.

8.   LiveVox QC operates much as the APC 5.1 predictive mode and requires the same level of human involvement.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November __25__, 2019   _Thomas Woods_____
                                        Thomas Woods